

NIKAIKO, MARMELSTEIN, MURRAY & ORAM LLP



Docket No. P8214-7002

Date: May 21, 1999

**REQUEST FORM FOR CONTINUING PROSECUTION APPLICATION
UNDER 37 C.F.R. §1.53(d)**

#13 Reg. for CPA
Graham 05/24/99

Assistant Commissioner for Patents
Box CPA
Washington, D.C. 20231

This is a Request for filing a XX continuation or _ divisional application under 37 C.F.R. §1.53(d) of prior Application No. 08/817,704, filed on August 25, 1997 entitled:

USE OF ERYTHROPOIETIN IN THE TREATMENT OF RHEUMATOID ARTHRITIS

By the following named inventor(s):
Anthonius Josef SWAAK

The above identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. The Prior Application identified above was a non-provisional application that is complete as defined by 37 C.F.R. §1.51(b) or a national stage of an international application in compliance with 35 U.S.C. §371 and was filed on or after June 8, 1995.

1. _ Enter the non-entered amendment previously filed on _____ under 37 C.F.R. §1.116 in the prior non-provisional application.
2. XX A Preliminary Amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

	Number Filed	Number Extra	Rate	Basic Fee
				\$760.00
Total Claim(s)	15	- 20	× 22.00	\$-0-
Independent Claim(s)	3	- 3	× 82.00	\$-0-
-- Multiple Dependent Claims			+ 270.00	\$-0-
				TOTAL \$760.00
<u>Reduction by 1/2 for small entity</u>				<u>- \$-0-</u>
				TOTAL FILING FEE = \$760.00

3. XX Our check in the amount of Seven Hundred Sixty Dollars (\$760.00) is enclosed to cover the required fees. In the event that any other fees are required with respect to this application, please charge our Deposit Account No. 14-1060. Any overpayment may be credited to the same account.

4. A new oath or declaration is included.
5. A Verified Statement to establish small entity status under 37 C.F.R. §1.9 and §1.27
 is enclosed was filed in the prior application and such status is still proper and desired.
6. An Information Disclosure Statement with PTO-1449 and references is enclosed.
7. XX Applicants hereby petition that the period for response to the Official Action dated December 21, 1998 in the parent Application No. 08/817,704, be extended for two months to the filing date of the present file wrapper continuing application.

Address all future communications to:

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May 21, 1999
(Date)

King L. Wong
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Reg. No. 37,500
XX Attorney or agent of record

KLW:lcb

Enclosure: Check No. 19664